

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

CITY OF ROSEVILLE EMPLOYEES' :  
RETIREMENT SYSTEM, Individually and on : Civil Action No. 08-969-HB  
Behalf of All Others Similarly Situated, :  
 :  
 :  
Plaintiff, :  
 :  
 :  
v. :  
 :  
 :  
HORIZON LINES, INC., HORIZION LINES, :  
LLC, CHARLES G. RAYMOND, MARK :  
URBANIA, JOHN V. KEENAN, JOHN W. :  
HANDY, BRIAN TAYLOR, GABRIEL :  
SERRA, R. KEVIN GILL, and GREGORY :  
GLOVA, :  
 :  
 :  
Defendants. :

## **STIPULATION AND PROPOSED ORDER DISMISSING ALL CLAIMS**

WHEREAS, the claims of Lead Plaintiff The Police and Fire Retirement System of the City of Detroit (“Lead Plaintiff”) for violations of Sections 10(b) and 20(a) of the Securities and Exchange Act against Defendants Horizon Lines, Inc., Horizon Lines, LLC, Charles G. Raymond, M. Mark Urbania, John V. Keenan, John W. Handy and Brian Taylor (the “Moving Defendants”) were dismissed by this Court;

WHEREAS, Lead Plaintiff's claims for violations of Sections 10(b) and 20(a) of the Securities and Exchange Act against Defendants Gabriel Serra, R. Kevin Gill and Gregory Glova were not dismissed by this Court;

WHEREAS, on August 24, 2011, the United States Court of Appeals for the Third Circuit affirmed the dismissal of claims against the Moving Defendants;

IT IS HEREBY STIPULATED AND AGREED this 4th day of January, 2012, by and between the undersigned parties who have appeared in this matter, pursuant to Rule 41 of the Federal Rules of Civil Procedure and subject to the approval of the Court, that all of Lead Plaintiff's claims against all parties (including those who have not appeared) shall be dismissed with prejudice, and that each party shall bear its own costs, attorneys' fees and expenses.

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IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2012.

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United States District Judge